

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

PEMISCOT MEMORIAL HOSPITAL, on
behalf of itself and all other similarly situated
entities,

Plaintiff,

v.

CSL LIMITED; CSL BEHRING LLC; and
BAXTER INTERNATIONAL INC.,

Defendants.

Civil Action No. 09 cv 3143

Judge Gene E. K. Pratter

**STIPULATION FOR EXTENSION OF TIME
TO ANSWER, MOVE OR OTHERWISE PLEAD TO THE COMPLAINT**

Pursuant to Local Rule 7.4(b)(2), Plaintiff Pemiscot Memorial Hospital ("Pemiscot") and Defendant Baxter International Inc. ("Baxter"), submit the following stipulation regarding an extension of time for Defendant Baxter to answer, move or otherwise respond to the Complaint:

1. On or about July 28, 2009, Pemiscot served Baxter with the Complaint in this matter via corporate service. Accordingly, Baxter is required to answer or otherwise plead to the Complaint on or before August 17, 2009.

2. Jones Day recently was engaged to represent Baxter in this matter. Counsel for Baxter requires additional time to more fully investigate the allegations contained in the Complaint.

3. Leading up to and on August 14, 2009, counsel for Baxter (Paula W. Render) communicated with counsel for Pemiscot (Daniel A. Small), who stated that Pemiscot had no

KA

objection to this extension, and agreed to stipulate to the same. Baxter believes that this stipulation will not unfairly prejudice any party to this action.

4. Upon entry of this stipulation, Baxter's deadline to answer, move or otherwise respond to the Complaint shall be September 16, 2009.

Dated: August 14, 2009

<u>/s/ with consent of Marc I. Machiz</u> Marc I. Machiz COHEN MILSTEIN SELLERS & TOLL PLLC 255 South 17th Street, Suite 1307 Philadelphia, PA 19103 Phone: 267-773-4680 Email: mmachiz@cohenmilstein.com Daniel A. Small Richard A. Koffman Kit A. Pierson Benjamin D. Brown Christopher J. Cormier COHEN MILSTEIN SELLERS & TOLL PLLC 255 South 17th Street, Suite 1307 Philadelphia, PA 19103 Phone: 267-773-4680 Email: dsmall@cohenmilstein.com rkoffman@cohenmilstein.com kpierson@cohenmilstein.com bbrown@cohenmilstein.com ccormier@cohenmilstein.com Mike Ponder Cook, Barkett, Maguire & Ponder, L.C. 715 N. Clark, P.O. Box 1180 Cape Girardeau, MO 63702-1180 Phone: 573-335-6651 Email: mponder@cbmplaw.com <i>Attorneys for Plaintiff Pemiscot Memorial Hospital</i>	<u>/s/ Heather M. Boylan Clark</u> Heather M. Boylan Clark PA ID No. 89206 JONES DAY One Mellon Center 500 Grant Street, Suit 4500 Pittsburgh, PA 15219-2514 Phone: 412-391-3939 Email: hmboylanclark@jonesday.com Michael Sennett Pamela L. Taylor Paula W. Render Brent P. Ray JONES DAY 77 West Wacker Drive, Suit 3500 Chicago, IL 60601 Phone: 312-782-3939 Email: msennett@jonesday.com ptaylor@jonesday.com prender@jonesday.com bpray@jonesday.com <i>Attorneys for Defendant Baxter International, Inc.</i>
--	---

DATE:

August 19, 2009

SO ORDERED:

Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES
DISTRICT COURT JUDGE